

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.15197 of 2015 (O&M)
Decided on : 28.05.2015

Rajbir Singh

.... Petitioner

Vs.

State of Punjab

.... Respondent

CORAM:- HON'BLE MR. JUSTICE MAHESH GROVER

Present:- Mr. G.S.Simble, Advocate
for the petitioner.

Mr. P.S.Hundal, AAG, Punjab.

MAHESH GROVER, J.(Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail in cross case registered under Sections 307, 325, 323, 148 and 149 IPC and 25, 27, 54 and 59 of Arms Act in FIR No.71 dated 08.08.2014 registered under Sections 302, 148 and 149 IPC and 25, 27, 54 and 59 of Arms Act at Police Station Rangar Nangal, Police District Batala District Gurdaspur.

Learned counsel for the petitioner has contended that the petitioner is in custody since 4.10.2014 and the challan has been submitted.

The petitioner is alleged to have been armed with a datar. He is alleged to have given datar blow with reverse side on the arm of one Harpinder Singh. It is further contended that there is no corresponding injury of the kind that has been inflicted on Harpinder Singh which has been established during the investigation and this fact is not disputed by the respondents on instructions from ASI Balwinder Singh, but learned State counsel has opposed the bail and stated that the petitioner does not deserve the concession of bail keeping in view the serious nature of offences alleged

against him.

On due consideration of the matter and noticing that the petitioner is in custody since 4.10.2014 and the challan has already been submitted and also the fact that injury though attributed to the petitioner does not manifest itself in the MLR of the injured, the instant petition is accepted. It is directed that the petitioner be released on bail in terms of Section 439 Cr.PC subject to his furnishing of bail bonds to the satisfaction of learned Trial Court.

Nothing said herein shall be construed to be an expression on the merits of the case.

28.05.2015
rekha

(Mahesh Grover)
Judge